

## **REMARKS**

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

### **I. Amendments to the Abstract**

The abstract has been reviewed and revised to improve the English grammar and U.S. form. No new matter has been added.

### **II. Amendments to the Claims**

Claims 3, 6, 7, 12, 13 and 18 have been cancelled without prejudice or disclaimer of the subject matter contained therein.

Further, independent claims 1, 10, 22 and 23 have been amended to clarify features of the invention recited therein and to further distinguish the present invention from the references relied upon in the rejections discussed below.

It is also noted that claims 1, 2, 4, 5, 8-11, 14-17 and 20-23 have been amended to make a number of editorial revisions thereto. These editorial revisions have been made to place the claims in better U.S. form. Further, these editorial revisions have not been made to narrow the scope of protection of the claims, or to address issues related to patentability, and therefore, these amendments should not be construed as limiting the scope of equivalents of the claimed features offered by the Doctrine of Equivalents.

### III. 35 U.S.C. § 102 Rejection

Claims 1-5, 8, 10, 11, 16, 19, 22 and 23 were rejected under 35 U.S.C. § 102(e) as being anticipated by Speasl. This rejection is believed clearly inapplicable to amended independent claims 1, 10, 22 and 23 for the following reasons.

Amended independent claim 1 recites a terminal to which an encoding or decoding device is detachably connected and which records or reproduces a signal representing audio or video. Specifically, claim 1 recites that the terminal includes a terminal information storage unit storing terminal information, which is information regarding a recording/reproduction ability of the terminal, and outputting the terminal information to the encoding or decoding device when the encoding or decoding device is connected to the terminal. In addition, claim 1 recites that the terminal includes a signal transmission unit transmitting, to the encoding or decoding device, the signal representing audio or video to be encoded, when the signal representing audio or video is recorded. Claim 1 also recites that the terminal information indicates whether or not a built-in encoding or decoding device is built in the terminal, and that the terminal makes the encoding or decoding device encode the signal representing audio or video, when the built-in encoding or decoding device does not exist.

In order for the Examiner to better understand the purpose of the claimed invention, the Applicants note that, when the terminal has the built-in encoding or decoding device, the terminal can increase a processing speed by performing processing using the built-in encoding or decoding device. On the other hand, when the terminal does not have the built-in encoding or decoding device, the terminal can have the processing performed by sending the signal to the encoding or decoding device. This switching of the processing between the built-in encoding or decoding device and the encoding or decoding device is achieved by the following feature of the

claimed invention “wherein the terminal information indicates whether or not a built-in encoding or decoding device built in said recording/reproduction terminal.”

Speasl fails to disclose or suggest the above-mentioned distinguishing features as recited in independent claim 1.

Rather, Speasl merely teaches that a host sends an image file to a storage device, and only the storage device transforms a file format of the image file (see paragraphs [0042]-[0044]).

Thus, in view of the above, it is clear that Speasl teaches that only the storage device is capable of transforming the file format of the image file, but does not disclose or suggest that the terminal information indicates whether or not the built-in encoding or decoding device is built in the terminal, and that the terminal makes the encoding or decoding device encode the signal representing audio or video, when the built-in encoding or decoding device does not exist, as recited in claim 1.

Therefore, because of the above-mentioned distinctions it is believed clear that independent claim 1 and claims 2, 4, 5, 8 and 9 that depend therefrom are not anticipated by Speasl.

Furthermore, there is no disclosure or suggestion in Speasl or elsewhere in the prior art of record which would have caused a person of ordinary skill in the art to modify Speasl to obtain the invention of independent claim 1. Accordingly, it is respectfully submitted that independent claim 1 and claims 2, 4, 5, 8 and 9 that depend therefrom are clearly allowable over the prior art of record.

Amended independent claims 10, 22 and 23 are directed to a device, a circuit and a method, respectively and each recites features that correspond to the above-mentioned distinguishing features of independent claim 1. Thus, for the same reasons discussed above, it is respectfully submitted that claims 10, 22 and 23 are allowable over the prior art of record.

#### **IV. 35 U.S.C. § 103(a) Rejections**

Claims 9, 14, 15, 17, 20 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over SpeasI (main reference) in view of various combinations of Kawamoto (U.S. 7,606,871), Mahon (U.S. 7,180,606) and Shimura (U.S. 6,215,560) (additional references).

In view of the above, it is respectfully submitted that these additional references do not disclose or suggest the above-discussed features of independent claims 1 and 10 which are lacking from the main references. Therefore, no obvious combination of the main references with any of the additional references would result in, or otherwise render obvious, the invention recited in independent claims 1 and 10 and claims 9, 14, 15, 17, 20 and 21 that depend therefrom.

#### **V. Conclusion**

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

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